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ENTRY	
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Date

04.11.05

Reference
P019859EP ATM

Application No./Patent No.
02768905.8 - 2402 PCT/US0230700

Applicant/Proprietor
THE GENERAL HOSPITAL CORPORATION

COMMUNICATION

The European Patent Office herewith transmits as an enclosure the supplementary European search report under Article 157(2)(a) EPC for the above-mentioned European patent application.

If applicable, copies of the documents cited in the European search report are attached.

- ☐ Additional set(s) of copies of the documents cited in the European search report is (are) enclosed as well.

Refund of the search fee

If applicable under Article 10 Rules relating to fees, a separate communication from the Receiving Section on the refund of the search fee will be sent later.





CLAIMS INCURRING FEES

The present European patent application comprised at the time of filing more than ten claims.

- ☐ Only part of the claims have been paid within the prescribed time limit. The present European search report has been drawn up for the first ten claims and for those claims for which claims fees have been paid, namely claim(s):
- ☐ No claims fees have been paid within the prescribed time limit. The present European search report has been drawn up for the first ten claims.

LACK OF UNITY OF INVENTION

The Search Division considers that the present European patent application does not comply with the requirements of unity of invention and relates to several inventions or groups of inventions, namely:

see sheet B

- ☐ All further search fees have been paid within the fixed time limit. The present European search report has been drawn up for all claims.
- ☒ As all searchable claims could be searched without effort justifying an additional fee, the Search Division did not invite payment of any additional fee.
- ☐ Only part of the further search fees have been paid within the fixed time limit. The present European search report has been drawn up for those parts of the European patent application which relate to the inventions in respect of which search fees have been paid, namely claims:
- ☐ None of the further search fees have been paid within the fixed time limit. The present European search report has been drawn up for those parts of the European patent application which relate to the invention first mentioned in the claims, namely claims:



The Search Division considers that the present European patent application does not comply with the requirements of unity of invention and relates to several inventions or groups of inventions, namely:

1. claims:

1, 3, 4, 11, 13, 14, 21, 23, 24, 31, 33, 34, 39, 41,
42, 45, 47, 48, 60, 61, 62, 64, 65, 6
8, 71, 74, 77, 80, 82, 83, 86, 89 (all
completely), and
2, 6-10, 12, 16-20, 26-30, 32, 36, 37, 40, 44, 46,
50, 53-56, 58, 59, 63, 67, 69, 70,
73, 75, 79, 81, 85, 87 (all partially)

nestin-positive pancreatic stem cells and related
subject-matter

2. claims: 5, 15, 25, 35, 38, 43, 49, 52, 66, 72, 78, 84, 88 (all completely)

and

2, 6-10, 12, 16-20, 22, 26-30, 32, 36, 37, 40, 44,
46, 50, 53-56, 58, 59, 63, 67, 69,
70, 73, 75, 79, 81, 85, 87 (all partially)

ABCG2-positive pancreatic stem cells and related
subject-matter



DOCUMENTS CONSIDERED TO BE RELEVANT			
Category	Citation of document with indication, where appropriate, of relevant passages	Relevant to claim	CLASSIFICATION OF THE APPLICATION (Int.Cl.7)
X	ZULEWSKI H ET AL: "Multipotential nestin-positive stem cells isolated from adult pancreatic islets differentiate ex vivo into pancreatic endocrine, exocrine and hepatic phenotypes" DIABETES, NEW YORK, NY, US, vol. 50, no. 3, March 2001 (2001-03), pages 521-533, XP002955659 ISSN: 0012-1797	1-4, 6-14, 16-21, 23,24, 26-34, 36,37, 39-42, 44-48, 50, 53-56, 58-65, 67-71, 73, 85-87,89	C12Q1/00 G01N33/53 C12N5/02 A61K48/00
	* the whole document *		
P,X	LECHNER A ET AL: "NESTIN-POSITIVE PROGENITOR CELLS DERIVED FROM ADULT HUMAN PANCREATIC ISLETS OF LANGERHANS CONTAIN SIDE POPULATION (SP) CELLS DEFINED BY EXPRESSION OF THE ABCG2 (BCRP1) ATP-BINDING CASSETTE TRANSPORTER" BIOCHEMICAL AND BIOPHYSICAL RESEARCH COMMUNICATIONS, ACADEMIC PRESS INC. ORLANDO, FL, US, vol. 293, no. 2, 3 May 2002 (2002-05-03), pages 670-674, XP001097458 ISSN: 0006-291X	1-4, 6-14, 16-21, 23,24, 26-34, 36,37, 39-42, 44-48, 50, 53-56, 58-65, 67-71, 73, 85-87,89	TECHNICAL FIELDS SEARCHED (Int.Cl.7) C12N
	* the whole document *		
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The supplementary search report has been based on the last set of claims valid and available at the start of the search.			
Place of search Munich		Date of completion of the search 27 October 2005	Examiner Sommerfeld, T
CATEGORY OF CITED DOCUMENTS			
X : particularly relevant if taken alone Y : particularly relevant if combined with another document of the same category A : technological background O : non-written disclosure P : intermediate document		T : theory or principle underlying the invention E : earlier patent document, but published on, or after the filing date D : document cited in the application L : document cited for other reasons & : member of the same patent family, corresponding document	

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EPO FORM 1503 03.82 (P04C04)



DOCUMENTS CONSIDERED TO BE RELEVANT			
Category	Citation of document with indication, where appropriate, of relevant passages	Relevant to claim	CLASSIFICATION OF THE APPLICATION (Int.Cl.7)
P,X	WO 02/12452 A (CURIS, INC; LU, KUANGHUI; PANG, KEVIN; RUBIN, LEE; ES CELL INTERNATION) 14 February 2002 (2002-02-14) * the whole document * -----	1-4, 6-14, 16-21, 23,24, 26-34, 36,37, 39-42, 44-48, 50, 53-56, 58-65, 67-71, 73, 85-87,89	
P,X	US 2001/024824 A1 (MOSS PETER IAN ET AL) 27 September 2001 (2001-09-27) * the whole document * ----- -/--	1-4, 6-14, 16-21, 23,24, 26-34, 36,37, 39-42, 44-48, 50, 53-56, 58-65, 67-71, 73, 85-87,89	TECHNICAL FIELDS SEARCHED (Int.Cl.7)
The supplementary search report has been based on the last set of claims valid and available at the start of the search.			
Place of search Munich		Date of completion of the search 27 October 2005	Examiner Sommerfeld, T
CATEGORY OF CITED DOCUMENTS X : particularly relevant if taken alone Y : particularly relevant if combined with another document of the same category A : technological background O : non-written disclosure P : intermediate document T : theory or principle underlying the invention E : earlier patent document, but published on, or after the filing date D : document cited in the application L : document cited for other reasons & : member of the same patent family, corresponding document			

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